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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/042,049	01/08/2002	Michael Wayne Brown	AUS920000718US1	4476
7590	10/20/2005		EXAMINER	
David Victor, Esq 315 South Beverly Dr., Ste. 210 Beverly Hills, CA 90212			CHEA, PHILIP J	
			ART UNIT	PAPER NUMBER
			2153	

DATE MAILED: 10/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/042,049	Applicant(s) BROWN ET AL.	
	Examiner Philip J. Chea	Art Unit 2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 July 2005.
 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17, 19-29, 31-49, 51 and 52 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) ☐ Claim(s) _____ is/are allowed.
 6) ☒ Claim(s) 1-17, 19-29, 31-49, 51 and 52 is/are rejected.
 7) ☐ Claim(s) _____ is/are objected to.
 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
 10) ☒ The drawing(s) filed on 08 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This Office Action is in response to an Amendment filed July 28, 2005. Claims 1-17, 19-29, 31-49, 51, 52 are currently pending. Any rejection not set forth below has been overcome by the current Amendment.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 1-3, 5-11, 17, 20-25, 29, 32-35, 37-43, 49, and 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blants (US 6,732,080), and further in view of Du et al. (US 6,823,357), herein referred to as Du.

As per claims 1, 21, and 33, Blants discloses a system implemented by a wireless device to provide information on a scheduled event in a personal information manager (PIM) application, wherein the wireless device performs:

- receiving a code (see column 11, lines 29-38, where a code is considered the user inputting selections);
- transmitting the received code to a server including a calendar database for the user of the transmitting wireless device including scheduled event records (see column 8, lines 1-30);
- receiving from the server a scheduled event record including information on one scheduled event associated with the code (see column 12, lines 8-30, where server provides the user with scheduled services); and

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- rendering calendar information at the wireless device including information on the scheduled event included in the scheduled event record (see Fig. 3, and column 12, lines 41-54).

Although the system disclosed by Blants shows substantial features of the claimed invention (discussed above), it fails to disclose that the code is associated with a promoted event sponsored by a third party entity and that the server maintains association of promoted event codes with third party entities sponsoring the promoted events.

Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Blants, as evidenced by Du.

In an analogous art, Du discloses a system of publicizing a schedule of upcoming events wherein visitors to an events website are able to browse various schedules of upcoming events publicized by the entities that are sponsoring the events (see Abstract). Further showing that a calendar server maintains association of promoted event codes with third party entities sponsoring the promoted events (see column 6, lines 4-14 and column 7, lines 13-22).

Given the teaching of Du, a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Blants by employing a third party entity that sponsors and delivers promoted event codes, such as disclosed by Du, in order to keep users who are interested in the promoters' events up to date with current schedules.

As per claims 2,34, Blants in view of Du further discloses that the code is entered via a user input mechanism on the wireless device (see Blants column 11, lines 29-38, where a code is considered the user inputting selections).

As per claims 3,35, Blants in view of Du further discloses that the code is transmitted to the wireless device via a wireless transmission medium (see Blants column 8, lines 17-26).

As per claims 5,22,37, Blants in view of Du further discloses a shadowed scheduled event record, wherein information on the shadowed scheduled event is displayed with the calendar information at the

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wireless device as a non-committed event (see Blants column 10, lines 45-67 and column 12, lines 41-54, where a non-committed event is considered unscheduled events).

As per claims 6,38, Blants in view of Du further discloses that the code is transmitted to the server in response to the user input at the wireless device (see Blants column 8, lines 1-30).

As per claims 7,39, Blants in view of Du further discloses receiving a plurality of codes associated with promoted events sponsored by at least one third party entity, wherein transmitting the code to the server comprises transmitting the plurality of codes, wherein receiving the scheduled event record from the server further comprises receiving one scheduled event record for each transmitted code, and wherein rendering calendar information at the wireless device including information on the scheduled event comprises rendering information on scheduled events for the received scheduled event records (see Blants column 15, line 47 to column 19, line 5, where a user interacts with the scheduling server to plan out transportation, lodging, and miscellaneous events that are necessary for the trip).

As per claims 8,23,40, Blants in view of Du discloses a system implemented by a server to provide scheduled events for users of wireless devices, wherein the wireless devices are capable of displaying calendar information on scheduled events, as claimed, comprising:

- maintaining an association of codes with promoted events sponsored by third party entities (see Du column 6, lines 4-14 and column 7, lines 13-22) receiving a code transmitted from the wireless device (see Blants column 8, lines 1-17);
- determining a scheduled event record corresponding to the received code (see Blants column 8, lines 31-42); and
- transmitting the determined scheduled event record to the wireless device that transmitted the code, wherein the wireless device is capable of rendering calendar information including information on the scheduled event included in the transmitted scheduled event record (see Blants column 8, lines 31-42).

As per claims 9 and 41, Blants in view of Du further discloses providing a data structure including a plurality of codes and associating with each code one scheduled event record, wherein determining the

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scheduled event record corresponding to the received code comprises searching the data structure for one code matching the received code transmitted from the wireless device and the associated scheduled event record (see Blants column 47-59, where determining scheduling conflicts implies the ability to look up scheduled events associated with a tag in order to be queried).

As per claims 10,24,42, Blants in view of Du further discloses that a plurality of codes are received from the wireless device and one determined scheduled event record for each code is transmitted to the wireless device transmitting the plurality of codes (see Blants column 15, line 47 to column 19, line 5).

As per claims 11,25,43, Blants in view of Du further discloses that scheduled event records and codes are provided for different event promoters (see Du column 2, lines 10-11).

As per claims 17,29,49, Blants in view of Du, discloses a system implemented by a transmitter for transmitting information on scheduled events, comprising:

providing information on at least one scheduled event record, wherein each scheduled event record includes information on a scheduled promoted event sponsored by an event promoter (see Du column 2, lines 23-33); and

transmitting the at least one scheduled event record for at least one promoted event sponsored by at least one event promoter (see Du column 2, lines 10-11) to wireless devices within a broadcast range of the location transmitter, wherein the wireless device adds the scheduled event record to calendar information for the wireless device user (see Blants column 12, lines 8-30 and lines 55-64, where the transmitter system is considered the calendaring and scheduling service, and broadcast range is considered location dependent scheduling).

As per claims 20,32,52, Blants in view of Du further discloses

- transmitting a list of scheduled promoted events from at least one event promoter (see Du column 6, lines 4-14);
- receiving, from the wireless device, user input indicating selection of at least one of the scheduled events on the list (see Blants columns 8 and 9, lines 57-67 and 1-8); and

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- transmitting the scheduled event record for each selected scheduled event to the wireless device from which the user input was received (see Blants columns 8 and 9, lines 57-67 and 1-8, where transmitting information is considered confirmation that the calendar user service has been completed).

3. Claims 4 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blants in view of Du as applied to claims 3 and 35 above, and further in view of Extended Systems ("IrDA versus Bluetooth: A Complementary Comparison").

Although the system disclosed by Blants in view of Du shows a code transmitted to a wireless device, transmitted from the wireless device to the server, it fails to disclose that the code is rendered at the wireless device automatically without any intervening user action.

Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Blants in view of Du, as evidenced by Extended Systems.

In an analogous art, Extended Systems disclose methods of communicating by wireless transmission further showing that it would have been obvious to allow a code rendered at a wireless device automatically without any intervening user action (see page 4, paragraph 2, where information is extended between two devices without user intervention).

Given the teaching of Extended Systems, a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Blants in view of Du by employing data transmission without any intervening user action, such as disclosed by Extended Systems, in order to allow a user to synchronize a handheld device with another computer without having to utilize messy cords.

4. Claims 12,19,26,31,44,51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blants in view of Du as applied to claims 11,18,25,30,35,43,49 above, and further in view of Ciarlante et al. (US 6,532,488).

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As per claims 12,26,44, although the system disclosed by Blants in view of Du shows making scheduled event records for the promoter available to wireless devices in response to transmissions of the code associated with the scheduled event record (see column 8, lines 1-30), it fails to disclose charging a fee to the event promoter to include one scheduled event record in the data structure.

Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Blants in view of Du, as evidenced by Ciarlante et al.

In an analogous art, Ciarlante et al. disclose a host server connected to different independent software vendors, which provide applications to the host server, which are available for use by clients. Ciarlante further discloses charging a fee to the independent software vendors for hosting the software made available to the clients (see column 12, lines 36-45).

Given the teaching of Ciarlante et al., a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Blants in view of Du by employing a charging system for utilizing a hosting system, such as disclosed by Ciarlante, in order for a hosting system to profit off independent vendors to use the portal to the vendors that the hosting system provides.

As per claims 19,31,51, Blants in view of Du disclose that the transmitter system broadcasts scheduled event records having information on events offered by the event promoter (see Du column 6, lines 4-14). Further, the teaching of Ciarlante suggests that the event promoter pays a fee to have transmitter system broadcast the events (see column 12, lines 36-45).

5. Claims 13-16,27,28,45-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blants in view of Du, and further in view of Kucala (US 5,832,489).

As per claims 13,27,45, although the system disclosed by Blants in view of Du shows a system implemented by a wireless device to provide information on a scheduled event to a personal information manager (PIM) application, wherein the wireless device performs:

- receiving a scheduled event record including information on a scheduled event transmitted from a transmitter system for a promoted event sponsored by a third party entity (see Du column 6, lines 4-14) including at least one scheduled event record when

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the wireless device is within a broadcast range of the transmitter system (see Blants column 12, lines 8-30 and lines 55-64, where the transmitter system is considered the calendaring and scheduling service, and broadcast range is considered location dependent scheduling);

- rendering calendar information at the wireless device including information on the promoted event included in the scheduled event record (see Blants Fig. 3, and column 12, lines 41-54),

it fails to disclose transmitting the scheduled event record for the promoted event to a server including a calendar database for the user of the transmitting wireless device including scheduled event records, wherein the server stores the transmitted scheduled event record for the promoted event with the calendar database records for the user of the wireless device.

Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Blants in view of Du, as evidenced by Kucala.

In an analogous art, Kucala discloses synchronizing a palmtop device with a computer, further showing the transfer of calendar information to the computer and storing the most updated calendar information to the computer (see column 4, lines 1-20).

Given the teaching of Kucala, a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Blants in view of Du by employing synchronization technique, such as disclosed by Kucala, in order to keep current calendar events available in case the events are modified by updated calendar data.

In considering the event being a promoted event, as discussed above, Du teaches that it would be obvious that the even it is a promoted event.

As per claims 14,46, Blants in view of Du in view of Kucala further disclose receiving user input to accept the scheduled event record, wherein information on the scheduled event in the scheduled event record is rendered with calendar information (see Blants column 12, lines 8-30). Further, the teaching of Kucala suggests that the scheduled event record is transmitted to the server after receiving the user input to accept the scheduled event record (see column 4, lines 1-20).

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As per claims 15,28,47, Blants in view of Du in view of Kucala further disclose

- receiving a list of scheduled events for promoted events from at least one third party entity from the transmitter system (see Du column 6, lines 4-14);
- receiving user input selecting at least one of the scheduled events on the list for one promoted event (see Blants columns 8 and 9, lines 57-67 and 1-8); and
- transmitting information on the selected at least on scheduled event to the transmitter system, wherein receiving the scheduled event record further comprises receiving one scheduled event record for each selected scheduled event (see Blants columns 8 and 9, lines 57-67 and 1-8, where transmitting information is considered confirmation that the calendar user service has been completed).

As per claims 16,48, Blants in view of Du in view of Kucala further disclose rendering information on the scheduled event included in each received scheduled event record (see Blants columns 8 and 9, lines 57-67 and 1-8, where transmitting information is considered confirmation that the calendar user service has been completed). Further, the teaching of Kucala suggests wherein transmitting the scheduled event to the server further comprises transmitting each scheduled event to the server.

Response to Arguments

6. Applicant's arguments with respect to claims 1-17,19-29,31-49,51,52 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH**

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shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip J. Chea whose telephone number is 571-272-3951. The examiner can normally be reached on M-F 7:00-4:30 (1st Friday Off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Burgess can be reached on 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Philip J Chea
Examiner
Art Unit 2153

PJC 10/4/05



KRISNA LIM
PRIMARY EXAMINER